

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, J.W. & Gabija E. Blotzer, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.38(211.4) to permit a rear yard setback of 27 ft. instead of the required 30 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: The proposed structure is a green house. The size of my lot precludes erecting a free-standing structure and dictates a "lean-to" model built against my dwelling. The location where it is built, conflicts with zoning regulations requires the requested variance. There is really no other practical site on the lot in question. (See enclosed diagrams.)

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

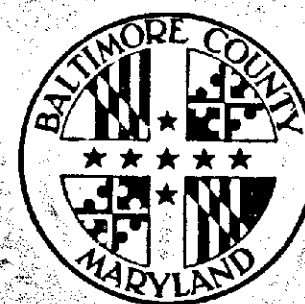
Contract purchaser: John Wolfe Blotzer
Address: 509 Bathurst Road
Catonsville, MD 21228
Petitioner's Attorney: 799-7350
Protestant's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day

of July 1978 that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of September, 1978, at 9:45 o'clock A.M.

(over)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 11, 1980

COUNTY OFFICE BUILDING
111 W. Chestapeake Ave.
Towson, Maryland 21204

Chairman
Nicholas B. Commodari

MEMBERS
Bureau of Engineering
Department of Public Works
Bureau of Planning
Bureau of Health Services
Bureau of Education
Bureau of Administration
Bureau of Industrial Development

Mr. & Mrs. J. W. Blotzer
509 Bathurst Road
Catonsville, Maryland 21228

RE: Item No. 21
Petitioners - J. W. Blotzer, et ux
Variance Petition

Dear Mr. & Mrs. Blotzer:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Particular attention should be afforded to the comments of the Department of Permits and Licenses, concerning the type of construction of proposed greenhouse.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

ENCLOSURE



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

September 9, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Item #21 (1980-1981)
Property Owner: J. W. & Gabija E. Blotzer
E/S Bathurst Rd. 328' S. of Westchester Rd.
Acres: 64.81/64.88 x 98.37/100
District: 1st

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

This property comprises Lot 18, Block C, "Flat One Section Two Westchester", recorded O.T.G. 32, Folio 142.

Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement #16802, executed in conjunction with the development of Westchester.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 21 (1980-1981).

Very truly yours,

ELLISWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:PMR:SS
cc: J. Wimbley



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

September 16, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #21, Zoning Advisory Committee Meeting, July 29, 1980, are as follows:

Property Owner: J. W. & Gabija E. Blotzer
Location: E/S Bathurst Road 328' S. of Westchester Road
Acres: 64.81/64.88 x 98.37/100
District: 1st

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning & Development



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

August 20, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments on Items 19, 20, 21, 22, 23, and 26 of the Zoning Advisory Committee Meeting of July 29, 1980.

Very truly yours,

Michael S. Flanigan
Engineer Associate II

MSF/hmd



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

September 3, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: J. W. & Gabija E. Blotzer

Location: N/S Winans Road 250' W of Tulsemere Road

Item No.: 21 Zoning Agenda: Meeting of 7/29/80

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below, marked with an "X", are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards, as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

(XX) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Paul H. Reincke Noted and Approved: George M. Hegardt
PLANNING GROUP FIRE PREVENTION BUREAU
SPECIAL INSPECTION DIVISION

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3010

TED JAMES JR.
DIRECTOR

August 13, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #21 Zoning Advisory Committee Meeting, July 29, 1980, are as follows:

Property Owner: J.W. & Gabija E. Blotzer
Location: E/S Bathurst Road 328' S of Westchester Road
Blasting Zoning, R. 5.5
Proposed Zoning: Variance to permit a rear yard setback of 27 ft. in lieu of the required 30 ft.

Acres: 64.81/64.88 x 98.37/100
District: 1st

The items checked below are applicable:

X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged, and other applicable Codes.

X B. A building permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.

F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 211.

X I. Comments: If the proposed green house is constructed of plastic, Section 1904.5 sub paragraph 2 is applicable and a 1 hour fire separation from the dwelling shall be provided. If it is of glass no separation is required.

NOTES: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.

If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burdman, Chief
Plans Review

(CB:rrj)

Pursuant to the advertisement, posting of property, and a public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance(s) requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 30th day of September, 1980, that the herein Petition for Variance(s) to permit a rear yard setback of 27 feet in lieu of the required 30 feet should be and the same

is GRANTED, from and after the date of this Order, subject, however, to the approval of a site plan by the Department of Public Works and the Office of Planning and

Jean M. H. Jung
Deputy Zoning Commissioner of Baltimore County

RE: PETITION FOR VARIANCE
E/S of Bathurst Rd., 328'
S of Westchester Rd., 1st District
JOHN WOLFE BLOTZER, et ux
Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 81-62-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 4th day of September, 1980, a copy of the foregoing Order was mailed to Mr. and Mrs. John Wolfe Blotzer, 509 Bathurst Road, Catonsville, Maryland 21228, Petitioners.

John W. Hession, III
John W. Hession, III

Beginning at a point on the east side of Bathurst Road 328 feet South of Westchester Road being known and designated as lot no. 18, block "C", as shown on the plat entitled plat 1, section 2, Westchester; which plat is recorded among the land records of Baltimore County in plat book OTG 32, folio 142, also known as 509 Bathurst Road

PETITION FOR VARIANCE
1st District

ZONING: Petition for Variance for rear yard setback
LOCATION: East side of Bathurst Road, 328 feet South of Westchester Road
DATE & TIME: Thursday, September 25, 1980 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a rear yard setback of 27 feet in lieu of the required 30 feet

The Zoning Regulation to be excepted as follows:

Section 1802.3B (211.4) - Rear yard setbacks

All that parcel of land in the First District of Baltimore County

Being the property of John Wolfe Blotzer, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, September 25, 1980 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

September 12, 1980

Mr. & Mrs. John W. Blotzer
509 Bathurst Road
Catonsville, Maryland 21228

RE: Petition for Variance
E/S Bathurst Rd., 328' S of
Westchester Road
Case No. 81-62-A

Dear Mr. & Mrs. Blotzer:

This is to advise you that \$39.43 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,
William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:sj

August 27, 1980

Mr. & Mrs. John W. Blotzer
509 Bathurst Road
Catonsville, Maryland 21228

NOTICE OF HEARING

RE: Petition for Variance - E/S Bathurst Rd., 328' S of Westchester Road - Case No. 81-62-A

TIME: 9:45 A.M.

DATE: Thursday, September 25, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond
Zoning Commissioner
FROM: Norman E. Gerber, Acting Director
Office of Planning and Zoning
SUBJECT: Petition No. 81-62-A Item 21

Date: September 11, 1980

Petition for Variance for rear yard setback
East side of Bathurst Road, 328 feet South of Westchester Road
Petitioner- John Wolfe Blotzer, et ux

First District

HEARING: Thursday, September 25, 1980 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber
Norman E. Gerber
Acting Director

NEH:JCH:ab

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

September 30, 1980

Mr. & Mrs. John W. Blotzer
509 Bathurst Road
Catonsville, Maryland 21228

RE: Petition for Variance
E/S of Bathurst Rd., 328' S of Westchester Rd. - 1st Election District
John W. Blotzer, et ux - Petitioners
NO. 81-62-A (Item No. 21)

Dear Mr. & Mrs. Blotzer:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: John W. Hession, III, Esquire
People's Counsel

